

**COMPREHENSIVE LONG-TERM ENVIRONMENTAL ACTION NAVY (CLEAN II)  
Northern California and Central California, Nevada, and Utah  
Contract No. N62474-94-N-7609  
Contract Task Order No. 163, Modification 03**

**Prepared for**

**DEPARTMENT OF THE NAVY  
Southwest Division  
Naval Facilities Engineering Command  
San Diego, California**

**FINAL PHASE V  
FINDING OF SUITABILITY TO TRANSFER  
DEPARTMENT OF DEFENSE HOUSING FACILITY  
NOVATO, CALIFORNIA**

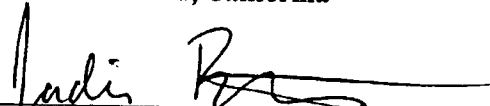
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**June 13, 2001**

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1	ENVIRONMENTAL CONDITION OF PROPERTY AREA TYPE CLASSIFICATION MAP FOR PARCELS IN THIS FOST

## ABBREVIATIONS AND ACRONYMS

ACM	Asbestos containing materials
AGS	AGS, Inc
BRAC	Base Realignment and Closure
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
DOD	Department of Defense
DODHF Novato	Department of Defense Housing Facility Novato
DTSC	Department of Toxic Substances Control
EBS	Environmental Baseline Survey
ECP	Environmental Condition of Property
EFA WEST	Engineering Field Activity West
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
FOST	Finding of Suitability to Transfer
LBP	Lead-based paint
NAVFAC	Naval Facilities Engineering Command
NEPA	National Environmental Policy Act
OPNAVINST	Operational Navy Instruction
PCB	Polychlorinated biphenyls
ppm	Parts per million
PRC	PRC Environmental Management, Inc.
PWC	Public Works Center
Reuse Plan	Hamilton Army Airfield Final Reuse Plan
RI/CMS	Remedial Investigation/Corrective Measures Study
ROD	Record of Decision
RWQCB	San Francisco Bay Regional Water Quality Control Board
SEBS	Supplemental Environmental Baseline Survey
SSPORTS	Supervisor of Shipbuilding, Conversion, and Repair, Portsmouth, Virginia, Environmental Detachment

## **ABBREVIATIONS AND ACRONYMS (CONTINUED)**

USC	United States Code
UST	Underground storage tank
U&A	Uribe and Associates

## **1.0 PURPOSE**

The purpose of this Finding of Suitability to Transfer (FOST) is to document current environmental conditions of the property proposed for transfer by deed at the Department of Defense Housing Facility Novato (DODHF Novato) and to ensure that the proposed transfer of such property is consistent with the protection of human health and the environment. Such transfer is consistent with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120 (h).

### **1.1 INTRODUCTION**

The "Hamilton Army Airfield Final Reuse Plan" (Reuse Plan, Bein et. al. 1995, as amended by the City of Novato in 1996) recommends, among other things, the transfer of the portion of DODHF Novato covered by this FOST to parties outside the federal government. The property to be transferred in this FOST, described in Section 2.0, includes individual parcels at DODHF Novato, rather than the entire facility. The Reuse Plan identifies community facilities and civic uses for the parcels covered by this FOST. Nevertheless, the parcels included in this FOST have been evaluated based on a more conservative residential reuse scenario. This FOST includes two of the 128 distinct Navy-owned parcels at DODHF Novato (Parcels 2B and 4). The area covered by these parcels is referred to as "the Property." The remaining parcels at DODHF Novato are not covered by this FOST. Figure 1 depicts the portion of DODHF Novato, which is included in this FOST. This FOST was prepared in accordance with the Department of Defense (DOD) Policy "Finding of Suitability to Transfer for Base Realignment and Closure (BRAC) Property" (DOD 1994).

### **1.2 DOCUMENTS REVIEWED AND REFERENCED**

This FOST is the result of a thorough analysis of information contained in the following documents:

- "Finding of Suitability to Transfer for Base Realignment and Closure (BRAC) Property." Department of Defense Policy, June 1, 1994 (DOD 1994).
- "Basewide Environmental Baseline Survey/Community Environmental Response Facility Act Report for DODHF Novato." Prepared by ERM-West, October 19, 1995 (ERM-West 1995).
- "Hamilton Army Airfield Final Reuse Plan." Prepared by Robert Bein, Frost, and Associates (Bein et. al.), 1995 as amended by the City of Novato in 1996 (Bein et. al. 1995).

- “Survey of Oil-Filled Electrical Equipment.” Prepared by the U.S. Department of the Navy, PWC San Francisco, November 1996 (PWC San Francisco 1996).
- “Final Environmental Baseline Survey Sampling and Analysis Screening Level Report Department of Defense Housing Facility, Novato, California.” Prepared by PRC Environmental Management, Inc. (PRC) and Uribe and Associates (U&A), April 15, 1997 (PRC and U&A 1997).
- “Final Phase I Supplemental Environmental Baseline Survey (SEBS) Department of Defense Housing Facility, Novato, California.” Prepared by PRC Environmental Management, Inc. (PRC) and Uribe and Associates (U&A), April 21, 1997 (PRC and U&A 1997).
- “Sampling Report, Department of Toxic Substances Control, Department of Defense Housing Facility Novato, Non-Residential Housing.” Prepared by Department of Toxic Substances Control (DTSC), April 30, 1997 (DTSC 1997a).
- “Inspection Report, Department of Toxic Substances Control, Department of Defense Housing Facility Novato, Non-Residential Housing.” Prepared by DTSC, June 14, 1997 (DTSC 1997b).
- “Request for Concurrence on Uncontaminated Property for the Department of Defense Housing Facility Novato, California.” Letter prepared by DTSC, June 23, 1997 (DTSC 1997c).
- “Final Environmental Impact Statement for the Disposal and Reuse of the Department of Defense Housing Facility, Novato, California.” Prepared by NAVFAC, Engineering Field Activity West (EFA WEST), November 1997 (EFA WEST 1997).
- “Third Quarter 1997 Groundwater Monitoring Report for the Underground Storage Tank (UST) Site at Building 827, DODHF Novato, California.” Prepared by AGS, November 1997 (AGS 1997).
- “Asbestos Survey Report.” Prepared by Supervisor of Shipbuilding, Conversion, and Repair, Portsmouth, Virginia, Environmental Detachment, (SSPORTS) January 1998 (SSPORTS 1998a).
- “Asbestos Remediation Completion Report for Non-residential Buildings, DOD Housing Facility Novato, Novato California.” Prepared by SSPORTS, April 1998 (SSPORTS 1998b).
- “Polychlorinated Biphenyl (PCB) Inventory and Removal Report for High Voltage PCB Electrical Devices, DODHF, Novato, California.” Prepared by SSPORTS, June 26, 1998 (SSPORTS 1998c).
- “Record of Decision (ROD) for the Disposal and Reuse of the Department of Defense Housing Facility Novato, California.” Signed by William J. Cassidy Jr., Deputy Assistant Secretary of the Navy, July 1, 1998 (Navy 1998).
- “Asbestos Debris Pickup at Department of Defense Housing Facility, Novato, CA.” Letter prepared by SSPORTS, July 21, 1998 (SSPORTS 1998d).
- “Final Report Remedial Investigation and Corrective Measures Study Volume I for the Underground Storage Tank Site at Building 827, Department of Defense Housing Facility Novato, California.” Prepared by AGS, October 1999 (AGS 1999a).

- “Final Report Remedial Investigation and Corrective Measures Study Volume II for the Underground Storage Tank Site at Building 827, Department of Defense Housing Facility Novato, California.” Prepared by AGS, October 1999 (AGS 1999b).
- “Fourth Quarter 1998 Groundwater Monitoring Report for the Underground Storage Tank Site at Building 827 DODHF Novato, California.” Prepared by AGS, May 1999 (AGS 1999c).
- “First Quarter 1999 Groundwater Monitoring Report for the Underground Storage Tank Site at Building 827 Department of Defense Housing Facility Novato, California.” Prepared by AGS, November 1999 (AGS 1999d).
- “Site Closure Report for the Underground Storage Tank Site at Building 827 Department of Defense Housing Facility Novato, California.” Prepared by AGS, January 2000 (AGS 2000).
- “Case Closure Letter for Underground Storage Tanks at the Department of Defense (DOD) Housing Facility, Novato, California.” Letter prepared by the Regional Water Quality Control Board (RWQCB), November 8, 2000 (RWQCB 2000a).
- “No Further Action Letter for Building 827, Former Dry Cleaning and Laundry Facility, Underground Storage Tanks Site Department of Defense Housing Facility, Novato, California.” Prepared by RWQCB, November 11, 2000 (RWQCB 2000b).
- “Approval of No Further Action Letter for Former Dry-Cleaning and Laundry Site (Navy Parcel 4), Department of Defense Housing Facility, Former Hamilton Air Force Base, Novato, California.” Prepared by DTSC, January 22, 2001 (DTSC 2001).

## 2.0 PROPERTY DESCRIPTION

DODHF Novato is located on the southeastern edge of the city of Novato, adjacent to San Pablo Bay, in Marin County, California, approximately 25 miles north of San Francisco. The Property consists of Parcels 2B and 4 from within DODHF Novato (Figure 1). The Property totals approximately 0.98 acres. Utilities present on the Property include sanitary sewer lines, natural gas lines, water lines, and above ground electrical distribution lines (ERM-West 1995). In April 1999 a lease in furtherance of conveyance was entered into between the Navy and the City of Novato allowing the city use of the property for community facilities and civic uses. In 1999 the New Beginnings Center was constructed which provides homeless assistance services. The footprint of the New Beginnings Center is coincident with the location of the former Building 828 depicted on Figure 1. The lease in furtherance of conveyance will terminate upon tender of deed conveying fee title to the City of Novato. Table 1 lists the individual acreage of Parcels 2B and 4 and summarizes the status of the buildings on each parcel.

### **3.0 REGULATORY COORDINATION**

Representatives of the U. S. Environmental Protection Agency (EPA), the California Environmental Protection Agency Department of Toxic Substances Control (DTSC) and the San Francisco Bay Regional Water Quality Control Board (RWQCB) have been involved in a consultative role with the Navy throughout the preparation of the Basewide Environmental Baseline Survey (EBS) (ERM-West 1995), Supplemental EBS (SEBS) (PRC Environmental Management Inc. [PRC] and Uribe & Associates [U&A] 1997), and the various phases of this FOST for DODHF Novato. Regulatory comments received during the EBS process have been reviewed and incorporated or appended, as appropriate, in the final documents. In addition, a public notice was issued informing the public of the Navy's intent to sign this FOST.

### **4.0 NATIONAL ENVIRONMENTAL POLICY ACT CONSIDERATIONS**

An Environmental Impact Statement (EIS) was prepared for the DODHF Novato property in accordance with the requirements of the National Environmental Policy Act (NEPA) and the Navy's environmental and natural resources program manual (Operational Navy Instruction [OPNAVINST] 5090.1B). The EIS presents the analysis of potential significant impacts of the Navy disposal and community reuse of DODHF Novato (Naval Facilities Engineering Command [NAVFAC], Engineering Field Activity West [EFA WEST] 1997).

The Record of Decision (ROD) for the NEPA document was signed on July 1, 1998 (Navy 1998). NEPA land use evaluations are necessary for changes in property use, which may potentially impact the environment. NEPA evaluations allow for public participation and evaluation of potential impacts to people and the environment from changes in land use. The NEPA ROD is the decision document which outlines the project to be implemented and the required mitigation measures to be taken.

### **5.0 ENVIRONMENTAL FINDINGS**

This section summarizes the findings of the various investigations, assessments, and remedial activities for the Property. The environmental condition of property (ECP) area types, UST releases, and environmental status of individual parcels are discussed in the following subsections.

## **5.1 ECP AREA TYPE**

As part of the initial basewide EBS conducted for DODHF Novato, each parcel was assessed individually to identify possible environmental concerns. Subsequently, the SEBS was prepared to address information developed after completion of the basewide EBS. An ECP area type classification was then assigned to each parcel.

This classification scheme was developed based on the 1997 Defense Authorization Act, which revised the definition of property classified as “uncontaminated.” Category definitions previously referred to in the basewide EBS as “Community Environmental Response Facilitation Act (CERFA) categories” or “BRAC area types” are now referred to as ECP area types. Table 2 summarizes the definitions of each ECP area type. Parcels 2B and 4 in this FOST are proposed to be classified as ECP area types 3 and 4, respectively. ECP area type 3 is defined as an area where a release of hazardous substances has occurred but constituent concentrations are below action levels. ECP area type 4 is defined as an area where required response actions have been completed. Table 3 provides ECP area type classifications for both parcels included in this FOST.

## **5.2 USTS AT BUILDING 827**

The environmental investigation of the Building 827 underground storage tank (UST) site was initiated in 1995, when four USTs were first identified (AGS 2000). Building 827 and adjacent Buildings 825 and 826 formerly comprised a dry cleaning and laundry facility in the Commissary Triangle area of the DODHF (AGS 2000). The four USTs contained petroleum products and dry cleaning solvents and had not been used for 22 years prior to their removal in 1996 (AGS 2000). At that time, piping associated with the USTs was also removed up to the exterior of Building 827.

Characterization studies at the site were conducted between 1996 and 1999 and included installation and quarterly sampling of monitoring wells, soil sampling, demolition of Buildings 826 and 827, removal of concrete foundation pads and any remaining piping associated with the USTs, and excavation of residual impacted soils.

Based on the cleanup of residual soil contamination and the stable and/or declining groundwater contaminant levels at the site, the RWQCB issued a no further action letter dated November 21, 2000. The DTSC issued an approval of the no further action letter dated January 22, 2001. The

DTSC's letter concluded that the UST site located at Building 827 is now suitable for unrestricted use.

### **5.3 SUMMARY OF RESOLUTIONS OF ENVIRONMENTAL ISSUES**

The SEBS identified outstanding environmental issues for both parcels in this FOST (PRC and U&A 1997). Since completion of the final SEBS in 1997, outstanding issues have been resolved. The following subsections identify the ECP area type for each parcel and the outstanding environmental issues at the time the SEBS was prepared, as well as the parcel's current status and ECP area type, where applicable.

#### **5.3.1 Parcel 2B**

In order to expedite reuse, Parcel 2 was divided into a northern portion (Parcel 2A, 0.41 acres) and a southern portion (Parcel 2B, 0.41 acres). Parcel 2B was previously classified as ECP area type 6 in 1997, due to the potential impact from the adjacent Parcel 4 UST release (PRC and U&A 1997). Two constituents were detected in groundwater samples collected from the monitoring wells on Parcel 2B; these chemicals were detected at concentrations below action levels (AGS 1999a and AGS 1999b). Parcel 2B is therefore recommended to be reclassified as ECP area type 3 since contamination concentrations are below action levels.

#### **5.3.2 Parcel 4**

Parcel 4 was previously classified as ECP area type 6 due to contamination related to the former UST 827 site (see Section 5.2). The corrective actions taken at Parcel 4 have included source removal (USTs, piping, and contaminated soil) and groundwater monitoring. Given the absence of free product, removal of the source, and continued evidence of biodegradation, the concentrations of the chemicals detected on Parcel 4 are expected to continually decline (AGS 1999d). Detected concentrations have remained below action levels identified in the RI/CMS (AGS 1999a and AGS 1999b). The Navy submitted a request for site closure along with the Closure Summary Report in January 2000 (AGS 2000). In November 2000, the Navy received a no further action letter from the RWQCB and an approval of the no further action letter from the DTSC dated January 22, 2001. Parcel 4 is therefore recommended to be reclassified as ECP area type 4 since "all remedial actions have been taken."

## **6.0 POTENTIAL IMPACT FROM ADJACENT PROPERTY**

After review of the basewide EBS and SEBS reports for DODHF Novato, no potential contaminant source areas have been identified adjacent to the parcels covered by this FOST. Parcels adjacent to the Property include Parcels 2A, 3, 5, and 6. In general, nearby parcels or parcels adjacent to the Property have been classified as ECP area type 1 (areas where no release or disposal [including migration] has occurred), ECP area type 2-3 (areas where release of petroleum hydrocarbons has occurred, but detected concentrations are below action levels), or ECP area type 3 (areas where release of hazardous substances has occurred, but concentrations were below action levels).

## **7.0 NOTICE OF HAZARDOUS SUBSTANCES**

The SEBS provides a parcel-by-parcel description of the hazardous substances stored, released, or disposed at DODHF Novato. As required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Sections 120(h)(1) and 120(h)(3) and implemented by 40 Code of Federal Regulations (CFR) 373.3, the required hazardous substances notification has been compiled for DODHF Novato. Table 4 provides notice that hazardous substances have been known to be stored and released on parcels included in this FOST.

## **8.0 DISCLOSURE ISSUES**

This section contains disclosure issues which are required in transfer documents. The disclosure issues do not pose a barrier to transfer, although restrictions may be required. Disclosure issues include: asbestos (refer to Section 8.1); LBP (refer to Section 8.2); radon (refer to Section 8.3); polychlorinated biphenyls (PCB) (refer to Section 8.4); and pesticide and herbicide use (refer to Section 8.5).

### **8.1 ASBESTOS**

Basewide asbestos surveys have been conducted to identify areas potentially posing a hazard due to the presence of damaged, friable, and accessible asbestos. The mere presence of asbestos in a building does not preclude the parcel from transfer; however, asbestos that poses a threat to human health (e.g., friable, damaged, and accessible) must be abated prior to transfer of the parcel or prior to occupancy.

DOD policy states that the presence of asbestos does not affect ECP area type classifications. However, the presence of asbestos and its condition must be disclosed prior to transfer or lease of a given property, and damaged, friable, and accessible asbestos-containing materials (ACM) must be abated (OPNAVINST 5100.23D) prior to occupancy.

The industrial (non-residential) buildings at DODHF Novato were surveyed in 1997 by Supervisor of Shipbuilding, Conversion, and Repair, Portsmouth, Virginia, Environmental Detachment (SSPORTS) personnel (SSPORTS 1998a). Damaged, friable, and accessible ACM was only identified at Building 826 (Parcel 4) for this FOST. Abatement of damaged, friable, and accessible ACM found in this building has been completed (SSPORTS 1998b and SSPORTS 1998d). The building has since been demolished (AGS 2000).

**Notifications and Restrictions.** There are no buildings located on the parcels covered by this FOST. For the purpose of this transfer, no notifications or restrictions are required with respect to ACM.

## **8.2 LEAD-BASED PAINT**

LBP hazards are defined in the Federal Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of P.L. 102-550), as codified in 42 United States Code (USC) Section 4822 (Act) as “any condition that causes exposure to lead ... that would result in adverse health effects.” Lead exposure is especially harmful to young children and pregnant women. The Act provides for regulation of the abatement of lead hazards from LBP, lead-contaminated dust, and lead-contaminated soil for target housing only. The Act defines target housing as any housing constructed prior to 1978, except any housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing for the elderly or persons with disabilities) or any 0-bedroom dwelling. In addition, the seller and lessor must disclose known LBP or LBP hazards on residential housing built before 1978, according to CFR Part 745.

The Navy is required by the Act and subsequent DOD BRAC guidelines (DOD 1994) to survey and abate LBP hazards on target housing constructed before 1960. The DOD guidelines also stipulate that LBP surveys be conducted at target housing constructed between 1960 and 1978. No survey or abatement is required to be conducted at housing constructed after 1978. If a non-housing structure is identified by the reuse plan for future use as housing, the appropriate measures would be taken by the Navy depending on the age of the structure, or other arrangement for the recipient to conduct abatement.

### **8.2.1 Residential**

According to the Act, the term "residential" includes any house, apartment, or structure intended for human habitation. In addition, Navy practice is to treat structures which would typically accommodate children under 6 years of age for extended periods of time, such as a child care facility, elementary school, or playground in the same manner as target housing, although the law does not specifically address them as such.

There are no buildings located on the parcels covered by this FOST.

### **8.2.2 Non-Residential**

Under the Act, Federal agencies are subject to all federal, state, and local requirements with respect to LBP and LBP hazards (15 USC 2688). Currently, there are no federal, state, or local requirements for surveying and abating LBP in non-residential facilities. The Navy and DTSC conducted an evaluation of the potential for soil lead hazards at DODHF Novato in March through June of 1997. The results of the evaluation are included in the SEBS (PRC and U&A 1997) and DTSC reports (DTSC 1997a and DTSC 1997b). The DTSC stated that the potential for contamination to soils from LBP exists for structures on parcels constructed before 1978. However, DTSC concurred that the potential hazard from soil may be minimal (DTSC 1997a and DTSC 1997b). The DTSC conclusion was based on the review of the following characteristics, which reduce or eliminate the potential for lead in soil hazards:

- Age of structure (post 1978)
- Condition of paint and paint chips on ground
- Planned demolition
- Structures of same architectural vintage as the Spanish Housing area (constructed in 1933-1934)
- Buildings with new siding and adequate debris clean-up
- Results of various sampling data

DTSC requested that parcels with LBP which meet the above criteria be classified as ECP area type 3 (release of hazardous substances at levels which do not require removal or remedial actions) provided that their planned reuse is implemented (DTSC 1997c). Additionally, DTSC recommended that upon completion of demolition, sampling should confirm that any residual levels of lead in soils do not pose a threat to human health or the environment. Table 1 lists the former buildings and their approximate dates of demolition.

**Notifications and Restrictions.** For the purpose of this transfer, no notifications or restrictions are required with respect to LBP.

### **8.3 RADON**

The DOD policy for radon is to provide relevant assessment data, but not to perform assessment and mitigation prior to transfer of BRAC property unless otherwise required by applicable law (DOD 1994). A radon survey of the DODHF Novato housing areas was conducted in 1990 under the Navy Radon Assessment and Mitigation Program. A total of 86 stationary detectors were placed in selected buildings. The sampling results indicated that concentrations of radon were below the EPA action level of 4 picocuries per liter (ERM-West 1995).

**Notifications and Restrictions.** For the purpose of this transfer, no notifications or restrictions are required with respect to radon. Detectable concentrations were below the EPA action level.

### **8.4 POLYCHLORINATED BIPHENYLS**

A PCB survey of oil-filled electrical equipment (PWC San Francisco 1996) indicated that neither of the parcels covered in this FOST contained PCB transformers (i.e., transformers containing greater than 500 parts per million [ppm] PCBs) nor PCB-contaminated transformers (i.e., transformers containing greater than 50 ppm PCBs, but less than 500 ppm). In California, electrical equipment with PCB concentrations greater than 5 ppm are considered hazardous waste when being disposed. A follow-up survey by SSPORTS did not identify any additional electrical equipment with detected PCBs on parcels covered in this FOST (SSPORTS 1998c).

**Notifications and Restrictions.** For the purpose of this transfer, no notifications or restrictions are required with respect to PCBs.

### **8.5 PESTICIDE AND HERBICIDE USAGE**

There is no evidence to suggest that pesticides (including insecticides, termiticides, and rodenticides) or herbicides, other than those ordinarily and routinely applied in a manner consistent with the standards for licensed application, were ever used at this site. There are no areas where there was extensive application of these agents.

### **8.5.1 Pesticides and Herbicides Used**

A review of past records indicates the following were typical of herbicides and pesticides that were used at DODHF Novato. Herbicides which may have been used at DODHF Novato include the following:

- XL 2G
- Team 2G
- Surflan A.S.
- Ronstar 50 WP
- Roundup
- Ronstar G

Insecticides, termiticides, and rodenticides which may have been used at DODHF Novato include the following:

- Dursban TC
- PT-515 (Wasp Freeze)
- Vaponite 2E
- Dursban 2E
- Dursban 4E
- Dursban-TC
- Drione
- Ficam W
- Diazinon 4E
- Sevin 80W
- Anti-coagulant Bait Blocks

### **8.5.2 Pesticide and Herbicide Management**

Pesticides and herbicides were applied intermittently on an as-needed basis at DODHF Novato either by personnel from the Navy Public Works Pest Control Department or by contractor personnel.

Navy personnel were trained and licensed in the proper and legal application of the pesticides and herbicides listed above. Pesticides and herbicides were applied per the manufacturer's directions, in accordance with the state and federal EPA-registered pesticide or herbicide label directions, and in accordance with the installation's annually approved pest management plan. Since the pesticides and herbicides were routinely applied in a manner consistent with the standards for licensed application, they likely do not pose a threat to human health or the environment. In addition, there is no indication that reportable quantities of pesticides were stored at DODHF Novato.

**Notifications and Restrictions.** For the purpose of this transfer, no notifications or restrictions regarding pesticide or herbicide use is required. Pesticide or herbicide applications were applied in accordance with appropriate state and federal regulations.

## **9.0 SUMMARY OF NOTIFICATIONS**

No notifications or restrictions on the property are proposed in this FOST.

## **10.0 REQUIRED ENVIRONMENTAL COVENANTS**

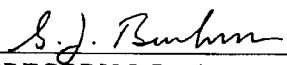
The Property is planned to be transferred in accordance with federal real property disposal laws, and the deed for transfers will contain the notice required by CERCLA Section 120(h)(1) and the deed covenant required by CERCLA Section 120(h)(3). The deed to be entered into for the transfer of this property shall contain the following:

- (a) A covenant warranting that:
  - (i) All remedial action necessary to protect human health and the environment with respect to any substances remaining on the Property has been taken before date of such transfer, and
  - (ii) Any additional remedial action found to be necessary after the date of such transfer shall be conducted by the United States.
- (b) A clause granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of such transfer.

## **11.0 FINDING OF SUITABILITY TO TRANSFER**

The transfer proposal has been adequately assessed and evaluated for (1) environmental hazards, and (2) environmental impacts from future use of the Property. This assessment and evaluation has adequately demonstrated that the proposed use of this Property does not present a risk to human health or the environment, provided the above-discussed notifications and restrictions are followed.

I find that the property is suitable to transfer by deed for the intended purpose because the requirements of CERCLA Section 120(h)(3) have been met for the Property in that all remedial action necessary to protect human health and the environment with respect to CERCLA hazardous substances on the Property has been taken. Also, all corrective action necessary to protect human health and the environment with respect to petroleum products on the Property has been taken.

  
\_\_\_\_\_  
GREGORY J. BUCHANAN  
CAPTAIN, CEC, USN  
Commanding Officer  
Engineering Field Activity West  
Naval Facilities Engineering Command

7/12/01  
Date